THE REVOLT ON CANNON GROWS

STEONG OPPOSITION TO LEADERS FIGHT FOR ECONOMY.

Chair Twice Overruled by House Insurgents, d Compromise Necessary to Get Adjournment - Williams on "Roosevelt Doctrine"-Civil Bill Passed.

WASHINGTON, Feb. 27.-There were two spirited episodes in the House this evening, and one of them demonstrated very clearly that those in favor of an omnibus public buildings bill are on the point of revolt against Speaker Cannon and the Republican leaders who are making a fight for economy. So strong a force of recalcitrants was mustered that the leaders, feeling their cause growing weaker, could not force an adjournment, and twice the Chair was overruled on points against Representative Burton of Ohio, who was the central

figure of the insurgent side. The first episode was mainly of a political character. Chairman Hemenway of the Committee on Appropriations appealed to his colleagues not to load down the pending Sundry Civil Appropriation bill with amendments. He warned them that if this were done the country would be confronted next year with a deficit of \$60,000,000, and in twenty-one months the Government would find itself under the necessity of issuing

bring about a condition which would cause a Republican Administration to issue bonds in time of peace. Representative Williams of Mississippi the Democratic leader poked fun at Mr. Hemenway's appeal for retrenchment, and Mr. Hemenway came back at him with some remarks about the Democrats flocking to the White House since the last election and assuring the elected. President that he represented their poli- THE LOST DIAMONDS OF PEPITA. cies and that they would help him to carry them ou

Mr. Williams told the House that if the Republicans wanted to know how to economize he could point the way. And that Demingo policy

"I will tell you how to be economical, if Calvinistic foolishness. [Applause.] Stop Government a receiver for insolvent American republics," said Mr. Williams.

You have left and deserted the time the new Roosevelt doctrine, that is henceforth to be the guide of the American people. You have said that American boys, light haired, blue eyed fellows, at some time or other, are to be shot while acting as policemen to collect debts for European socculators all over the American hemisphere. In the name of God, I want to know when and where you are going to stop; at what particular line of debt collections you are to desist; at what particular line of bloodshed are you to stop; because it is merely the shedding of blood in order to collect

money."

The second episode was interesting, for it involved a fight within the Republican ranks. It came unexpectedly. When the reading of the Sundry Civil bill was concluded Mt. Burton asked unanimous consent that the Committee of the Whole return to an appropriation for the Cleveland public building which contained a proviso that the exterior work should be of sandstone. Mr. Hemenway objected to this, but his motion that the committee rise and report the bill to the House was defeated by a majority of 49.

allowed to do so.

Mr. Burton is chairman of the River and Harbor Committee and is popular with many members. It was apparent from the applause which greeted his remarks that a goodly number of his Republican colleagues were in sympathy with him. That this was so was shown more clearly later by the votes on other motions. Representative Sherman of New York, who was in the chair, ruled that the com-

who was mittee of the whole could not go back to the Cleveland public building item and from his decision Mr. Burton appealed. from his decision Mr. Burton appealed.
The Chair was overruled by a vote of 71 to 89.
Mr. Burton then moved that the Cleveland
appropriation be experded for nothing except granite for the exterior walls and a
point of order against this made by Mr.
Hemenway was sustained by the Chair.
While the vote to overrule this decision
was in progress Mr. Burton did some quiet
tactical managraying. He raillied to his was in progress Mr. Burton did some quiet tactical manœuvring. He rallied to his support many of those who were satisfied with the River and Harbor bill, which ms committee produced, and he also rounded up a big crowd of members who are interested in securing the passage of an omnibus public building bill, and have been bus public building bill and have been very sore over the manner in which Speaker Cannon and Chairman Hemenway refused to listen to their importunities. This time the Chair was again overruled, by a majority

is probable that had it not been for the fact that Representative Littauer of New York had issued invitations for a big dinner to-night in honor of Representative Hemenway, to which many members of the House were invited, the controversy would have left the part of the house were invited, the controversy would have lasted half the night.

In Brank account overdrawn. He informed the bank that some of the checks were forgeries, paid \$25 to settle and closed his account. Then, he said, he told the bank to have Helen Gates arrested if she forged any more checks.

The Assistant District Attorney presented as letter from David N. Carvalho

Homenway withdrew his motion to

agreed to and the Sundry Civil bill was

other members invited to the dinner bolted out of the House and Mr. Littauer's bountiful board in has condition. They sat down

their working clothes. SWEL ING CONSULAR CHANGES Most of Those Who Have Served Two Terms

Must Go After March 4. Washington, Feb. 27.-Many changes will be made in the United States consular service immediately after March 4, and while the Senate is still in special session, so that confirmations can be seawed for.

the President's nominations.

The an iounced intention that all members of the aniounced intentions are all the aniounced intentions. Corps, who have served for two terms will be

cases in which the Consuls or Consul-Generals have given exceptionally good service. It is known to be the President's desire to rid the consular service of practically ell of the dead wood and to inject new and more energetic blood.

A complete rearrangement of the

though it is not expected that it will be possible to put the new plans entirely into effect until the end of the Russo-Japanese War.

Edwin W. Morgan, who holds the title of Consul at Dalny, Manchuria, arrived in Washington from China to-day. On account of the fact that Dalny is in the zone of warfare Mr. Morgan was uncelled to take the control of warfare Mr. Morgan was uncelled to take the control of warfare Mr. Morgan was uncelled to take the control of columbia, clearing in early morning to-day; for the control will be the control of columbia, clearing in early morning to-day; for the control of columbia, clearing in early morning to-day; for the control of columbia, clearing in early morning to the control of the fact that Dalny is in the zone of warfare Mr. inties there. It is not probable that make another effort to reach his post present time. Henry B. Miller, at Newchwang, who was in Wash recently, and is now on his way back set, will probably be promoted and ther position in the Far Fast. get another position in the Far East.

\$50 CASH PRIZE For a Name.

PROMINENT distiller, about to market a new rye whisky, offers \$50.00 to any one suggesting the best name for this brand.

Address Distiller, care "Printer's Ink," 10 Spruce Street, New York.

MIDVALE STEEL MEETING. Proceedings Kept Secret-No Hint of Any

Action on Armor Plate. PHILADELPHIA, Feb. 27.-Secrecy was observed by the stockholders and directors of the Midvale Steel Company regarding the proceedings of their annual meeting, held to-day. At the conclusion of the meeting the only statement made was concerning the routine matter of election of officers, no hint being given of the questhe value of the secret process used recently by the company and the question

of an enlargement of the plant. He begged his Republican friends not to enterprise, there being few stockholders, to trial before the Senate if the entirely and secrecy has been observed about its new charge affecting his alleged overaffairs for years. The meeting of stockholders was advertised to take place in Nicetown, but was really held at the Market | Representatives who conducted the in-Street National Bank. Charles B. Dunn was elected a director in place of the late William Sellers. Mr. Dunn is an executor of the Sellers estate. The officers were re- have chafed over what they regarded

> Cora Wilson on Trial on Charge of Making Them Disappear.

Maria L. Laguna, a young Cuban dancer, who is also known on the stage as Pepita way, he said, was to stop this foolish Oriental Sandoval, crowded Judge Foster's court colonization in the Philippines and to stop in General Sessions vesterday when she acting as policemen for all the world, as appeared as complainant against Cora C. the Government was doing in its Santo Wilson, whom she accuses of having stolen from her diamonds worth \$1,200. Miss Laguna is slim, with black eyes and black you wish. Stop your miserable, Oriental, hair worn Madonnawise. She emphasized her statements by tapping the floor with sending down to Santo Domingo a man of her high-heeled shoes. A red Edna May war, while you make the United States hat kept time with her feet. A lavender gown was not the least brilliant part of

Mrs. Wilson looked prosperous in a fur honored Monroe Doctrine and elevated trimmed coat. She says that Miss Laguna est count against Judge Swayne, but it reimmed coat. She says that Miss Laguna never gave her any diamonds. According to the girl's story she came from Cuba in 1900 to have her voice trained. It appeared that Edward Mantaro, a wealthy Cuban, was her pairon. Mr. Mantaro bought the diamonds for her, she admitted, but she said she gave him the money. The defence will try to show that the girl lost the diamonds and had to make some excuse when Mr. Mantaro demanded them cuse when Mr. Mantaro demanded them

back.

Miss Laguna said she met Mrs. Wilson at the Fifth Avenue Hotel. "She told me," said the dancer, "that she was the widow of James Wilson, a quartermaster in the army. She also introduced me to a young man who, she said, was a grandson of John Quincy Adams. Then she introduced me to another man named Alfred Hopkins, who, she said, got \$50,000 a year from a life insurance company."

insurance company.

One night Miss Laguna called on Mrs.
Wilson and when she was leaving showed
a chamois bag which she said contained
her jewelry. Mrs. Wilson told her that she motion that the committee rise and report the bill to the House was defeated by a majority of 49.

Then Mr. Burton moved that the committee return to the amendment he had mentioned, and in a short speech maintained that on account of an understanding on his part that he was to have an opportunity to offer an amendment it was in the interest of fair play that he should be allowed to do so.

Mr. Burton is chairman of the River

Mr. Burton is chairman of the River

Mr. Burton is chairman of the River

Mrs. Wilson's counsel had the bag and refused to produce it until ordered to do so

Mrs. Wilson's counsel had the bag and refused to produce it until ordered to do so by the Court. Then it was examined and found to be empty. An effort will be made by the prosecution to show that Mrs. Wilson was interested in certain bank schemes in Aiken, S. C., and other places that were in Aiken, S. C., and other places that were eminently successful and was in need

M'GUIRE AND HELEN GATES. Butcher Admits That He Knows Her and

Had Given Her Cheeks. Helen Gates, who flooded the wood alcohol belt of the West Side with bogus checks about a month ago, was examined in the West Side court vesterday. Assistant District Attorney Corrigan appeared as the prosecutor.

Peter A. Roos, a carriage maker, of 422 West Twenty-ninth street, testified that he cashed a check for \$10 for Helen Gates, drawn on the West Side Bank and signed J. McGuire. He said he was introduced the girl by her alleged mother-in-law, rs. G. Hauff.

Mrs. G. Hauff.

McGuire, who used to live at the Rossmore, said he was a butcher and lived at 318 West 134th street. He denied that he had sent the check to Helen Gates. He admitted, though, that he knew her and had sent her checks at various times, drawn on the West Side Bank. He said that he Mr. Hemenway for an adjournment, and while the roll call was in progress negotiations for a compromise were begun. It is probable that had it not been for the act that Representative Littauer of New ork had issued invitations for a big dinner by invited.

Mr. Hemenway naturally wanted to go to the dinner, and so did members of the House who were present. The upshot of lasty conferences on the floor was that Mr. Hemenway withdray to the forgery and was probably written by the forgery and was probably written by the same person who indorsed them.

same person who indorsed them.
Helen Gates refused to make any statement, but showed the Judge a letter, which she said she had received while in prison from McGuire, in which he threatened her form the showed his letters. The matron who handed it to her was not in court, and the genuineness of the letter could not be determined.

Magistrate Whitman held the girl in \$1,000 for trial.

The Weather.

The pressure remained low resterday over all the eastern half of the country and high west of the Mississippi, except in the extreme Southwest. Colder weather was felt at most points from the Middle Atlantic States westward to the Rocky Moun-

New England coast.
In this city the day was fair and colder, wind, brisk westerly; average humidity, 50 per cent.
Baroncter, corrected to read to sea level, at 8 A. M., 30.01; 3 P. M., 29.00.

ompicte rearrangement of the conoffices in the Far East is planned.

For eastern New York and New England of the con-For eastern New York and New England, fair

> Morgan was unable to take | fair to-morrow; slight temperature changes; fresh west winds.
> For costern Pennsylvania, fair to day, preceded

by light snow in southeast portion; fair to morrow For western Pennsylvania and western New York, fair and somewhat warmer to-day and to-morrow; fresh southwest to west winds. JUDGE SWAYNE IS ACQUITTED.

NOT EVEN A MAJORITY OF SENATE VOTED HIM GUILTY.

On One Article Only 13 Were in Favor of Conviction The Result a Foregone Conclusion Trial Uninteresting and Senators Chafed Under the Delay.

WASHINGTON, Feb. 27.-Judge Charles Swayne of the United States Court for the Northern district of Florida, whose trial before the Senate under impeachment articles voted by the House of Representatives had lasted several weeks, was to-day acquitted of every one of the so-called "high crimes and misdemeanors" with which he was charged. There was little of the dramatic in the final scene and Senators breathed a deep sigh of relief when the prosy case was disposed of.

There is now no impropriety in saying, as there might have been while the trial was in progress, that the acquittal of Judge Swayne was a foregone conclusion. It had become apparent to those who made careful inquiry into the case that there was enough in the attitude of Judge tion of securing armor plate contracts, Swayne's original accusers to suggest political prejudice, and added to this was the knowledge that the House, after once declining to impeach on the evidence pre-The Midvale is practically a private sented, would not have sent Judge Swayne certification of official expenses had not been brought forward by the zealous vestigation.

From the beginning to the end the trial has been uninteresting and Senators as the unnecessary invocation of the ponderous judicial machinery of their chamber to thresh out matters that many considered of no consequence and even frivolous.

Judge Swayns was represented in the trial by two former Senators, Anthony Higgins of Delaware and John M. Thurston of Nebraska, who contented themselves with calling comparatively few witnesses to counteract the testimony of those called by the prosecution.

Some surprise was created over the fact that Judge Swayne's counsel did not ask to obtain evidence from any United States Judges that they also construed the appropriate law to mean that each was to have the lump sum of \$10 a day for travel and attendance while conducting judicial business outside his district even when these expenses were below that amount. This Some surprise was created over the fact expenses were below that amount. This allegation of overcharging was the strongwas materially weakened by a report from the Secretary of the Treasury that many other Judges habitually certifled to the accounting officers that they had expended the full amount.

Under the terms of the Federal Constitution the votes of two-thirds of the Senators present are required to convict a civil officer, but in no instance did those who voted "guilty" to-day comprise even a majority. The high tide and the low tide of the voting on the charges ranged from voted "guilty" to-day comprise even a majority. The high tide and the low tide of the voting on the charges ranged from 69 and 47 for acquittal to 13 and 35 for con-

69 and 47 for acquittal to 13 and 35 for conviction, respectively.

That the suspicion was prevalent on the Republican side of the Senate that Judge Swayne's troubles were due primarily to the bitter political prejudice existing against him in Florida was indicated by the fact that nearly all the Republican Senators voted for acquittal. Generally speaking, the Democrats voted for conviction, but some of them said "not guilty" upon certain articles, and on one count a majority of them raised their voices in Judge Swayne's favor.

To-day's closing proceedings were brief.

To-day's closing proceedings were brief. They consisted wholly in the recording of votes on the twelve counts in the House's of votes on the twelve counts in the House's indictment. Crowded galleries confronted the Senate when it assembled at 10 o'clock and as usual most of the spectators were women. Many members of the House came over to see the concluding scene and were accommodated with seats on the floor. Judge Swayne's counsel were present, but he remained in an ante-room. Three of the seven managers or prosecutors of the House, Representatives Palmer, Olmthe House, Representatives Palmer, Olm-

at-arms and the doorkeepers to eject anybody who applauded.

The first article charged Judge Swayne with making false returns of his expenses. Senator Alger's name was the first called. He rose and voted "not guilty." As the roll call proceeded the scene became impressive. There was a tense feeling manifest throughout the chamber, for this was regarded as the test ballot. It soon became apparent, however, that a majority became apparent, however, that a majority of Senators, including some Democrats, were for acquittal, and the final result showed 49 voting "not guilty" and only 33 voting "guilty." Fifty-five votes would

have been necessary to convict.

At the conclusion of the roll call the presiding officer announced impressively:
"Two-thirds of the Senators present not having voted guilty, Charles Swayne, the respondent, stands acquitted of the charges contained in the first article of impeach-ment." The vote in detail follows:

ent." The vote in detail follows:
Guilty—Bacon, Bailey, Bard, Rate, Berry, heldburn, Carmack, Clark of Montana, ay, Cockrell, Culberson, Daniel, Foster Louisiann, Gorman, Kittridge, Latimer, etreary, McCumber, McEery, McLarin, dilory, Martia, Moaey, Morgan, Nelson, wlands, Overman, Patterson, Pettus, Simons, Stone, Tallaferro, Teller.
Not Guilty—Alger, Allre, Allison, Ankeny, ali, Beverdge, Burnham, Burrows, Clupp, ark of Wyoming, Crane, Cullom, Depew, lok, Dietrich, Dillingham, Dolliver, Dryn, Dubois, Elkins, Fairbanks, Foraker, ister of Washington, Frye, Fulton, Galager, Gamble, Gloson, Hale, Hansbrough, eyburn, Hopkins, Kean, Kearns, Lodge, and Gormas, Millard, Penrose, Perkins, att of Connecticut, Platt of New York, cottor, Quarles, Scoot, Smoot, Spooner, lewart and Warren.

The second and third charges related

The second and third charges related also to the alleged falsification of expense accounts by Judge Swayne, and both bal-lots were the same, 32 for conviction and 56 for acquittal. Clark of Montana changed

his vote to "not guilty."

By this time the proceedings had lost much of their interest to the greater num-

much of their interest to the greater number of spectators. The roll calls were becoming tedious and the feeling of impressiveness faded into the commonplace through much repetition. When the vote on the fourth article was concluded it was found that only a bare corporal's guard of 13 had voted to convict, against 69.

This article charged Judge Swayne with appropriating to his own use for a journey from Florida to Delaware a private car of the Jacksonville, Tampa and Key West Railroad Company, then in the hands of a receiver appointed by Judge Swayne. All those who voted guilty were Democrats. se who voted guilty were Democrats.

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MIDDAY LUNCH is receiving its just leserts at the "Ambassadeurs," and CLUB MEN find enough tone and quality here it pocasionally rolax from the dull sameness of soli disant CLUBHOUSE excellence. The t disant CLUBHOUSE excessors. The syman of affeirs, recognizing the importage of a none too hurried spread between tations, begins to appreciate the every consideration he receives at our "PE-F CAFE," where his comforts are always ked after with jealous care by one of the OPRINTOR MANAGERS.

And there is always a copy table for the is always a cozy table for the e Queen of the FOOTLIGHTS the glaring sun, in some attrac-to set her delicate paleness in

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reserved for the evening at an early hour hate to disappoint late comers.)

rell, Culberson, Daniel, McLaurin, Martin, Money, Morgan, Newlands and Pettus.

On the firth article the result numerically was similar to that on the fourth. This article charged Judge Swayne with using a private car of the same railroad for a trip to California.

The sixth article charged Judge Swayne

or a trip to California.

The sixth article charged Judge Swayne with violation of law in not changing his residence to his district, as required by Section 551 of the Revised Statutes. The vote stood: Guilty, 31; not guilty, 51. The roll call was:

Guilty—Bacon, Bailey, Bard, Edte, Berry, Blackburn, Carmack, Clark of Montana, Clay, Cockrell, Culberson, Daniel, Dubols, Foster of Louisiana, Gibson, Gorman, Latimer, McCreary, McLaurin, Mallory, Martin, Money, Morgan, Newlands, Overman, Patterson, Pettus, Simmons, Taliaferro, Teller.

Teller.

Not Guilty Alger, Allee, Allison, Ankeny, Pall, Beveridge, Burnham, Burrows, Clapp, Clark of Wyoming, Crane, Cullom, Depew, Dick, Dietrich, Dillingham, Deliver, Dryden, Elkins, Fairbanks, Fortaker, Foster of Washington, Frye, Fulton, Gallinger, Gamble, Hale, Hansbrough, Heyburn, Hopkins, Kean, Kearns, Kittridge, Lodge, Long, McComas, McCumber, Millard, Nelson, Fenrose, Perkins, Platt of Connecticut, Platt of New York, Proctor, Quarles, Scott, Smoot, Spooner, Stewart, Stone, Warren.

The seventh article bore on the same

The seventh article bore on the same abject of residence, charging that after the creation of the Northern District of Florida Judge Swayne did not acquire residence therein from July 23, 1894, to Jan. 1, 1903, about nine years. The roll

den. 1, 1903, about nine years. The roll call stood: Guilty, 19; not guilty, 63.

The eighth article charged misbehavior and a high misdemeanor in maliciously and unlawfully adjudging E. T. Davis guilty of contempt of court and imposing a fine of \$100 and a sentence of ten days imprisonment upon him. The vote on this article stood: Guilty, 31; not guilty, 51.

The ninth article, charging Judge Swayne with knowingly violating the law in adjudging Davis guilty of contempt. Swayne with knowingly violating the law in adjudging Davis guilty of contempt, was disposed of like the others, the vote standing: Guilty, 31: not guilty, 51. The tenth article was the same as the eighth, except that Simon Belden was the person punished for contempt. The vote on this article was 31 to 51.

The eleventh article charged that Judge Swayne knowingly violated the law in

The eleventh article charged that Judge Swayne knowingly violated the law in punishing Belden. The vote on this article was also 31 to 51. The last article charged Judge Swayne with misbehavior and abuse of judicial power and of a high misdemeanor in unlawfully and knowingly adjudging W. C. O'Neal guilty of contempt of court and committing him to prison for sixty days. Judge Swayne was acquitted, 35 to 47. The Republicans voting guilty on the last article were Messrs. Bard, Kittredge, Hansbrough, McCumber, Nelson and Quarles. The Democrats voting not guilty were Messrs. Gibson and Newlands.

The presiding officer, following the

court of impeachment, adjourn without day. The motion was put and carried, and the Swayne case passed into history. The galleries were in great confusion, while the greater part of the crowd retired.

Representative Olmstead, one of the managers of the Swayne impeachment.

managers of the Swayne impeachment, offered an amendment to the Sundry Civil bill in the House this evening, making plain the law relating to the allowances of expenses for Judges holding court outside their districts, so that it will direct the payment of \$10 a day outright, irrespective of the amount expended, but a dozen members intervened with the point of order that it changed existing law, and the amendment failed to receive consideration.

Swavne had promised to resign if he were acquitted. This was denied authoritatively. Judge Swayne does not intend to resign.

TEXAS ANTI-TRUST LAW UPHELD. Supreme Court Affirms Its Validity-Packing Heuse Tax stands.

WASHINGTON, Feb. 27 .- The validity of the Anti-Trust laws of Texas and the judgment of the Texas courts declaring forfeited the licenses of the National Cotton Oil Company and the Southern Cotton Oil Company were to-day affirmed by the Su-

stead and Da Armond, were on hand.

Senator Platt of Connecticut called the Senate to order as a judicial body. He warned the galleries to refrain from any demonstration and instructed the sergeantatarms and the doorkeepers to eject as the sergeantary who applicable to the serg had entered into a combination fixing the

The lower court found against the companies and declared the permits cancelled, which judgment was affirmed by the Texas Superior Court. The companies then appealed to the Supreme Court of the United States on the ground that the Anti-Trust law in effect deprived them of property without due process of law. In affirming the judgment of the Texas courts Justice McKenna said the Anti-Trust act of that State did not oftend the Fourteenth Amendment to the Constitution, the contention ment to the Constitution, the contention that it deprived the appellants of their property without due process of law being

The Georgia statute imposing a tax of \$200 on agents of packing houses in each county of the State in which they do business was to-day declared constitutional and not an interference with interstate comnot an interference with interstate com-merce. The test case was brought in the Georgia courts by F. H. Kehrer, agent at Atlanta of the Nelson Morris Company, and the Supreme Court of that State upheld

the legality of the law. California law providing for the taxation of national banks was to-day held discriminatory and illegal, although by a bench divided 5 to 4. The minority was composed of the Chief Justice and Justices Brewer, Brown and Peckham.

NATIONAL BANK TAX INVALID. furnished when he first entered the service. Present Law as Administered in California

Turned Down by Supreme Court. Washington, Feb. 27.-By a bench divided 5 to 4, the Supreme Court to-day held that the law of California levying a tax on General to Panama. national banks was invalid, being contrary to the discrimination forbidden by the National Banking act. The case was an appeal from the decision of the Circuit Court of Appeals for the Ninth Circuit in favor of Washington Dodge, assessor of the city of San Francisco, affirming the validity of the State law and against the San Francisco National Bank.

The principal ground of appeal was that the law worked a discrimination in favor of the law worked a discrimination in layor of State banks, in that it assessed their actual property, while, as the national banks were assessed on the basis of the market value of their capital stocks, the latter included good will and other intangible values not included in the tax on State banks.

The majority of the court upheld this view, and decided that this was such a discrimination as invalidated the law. But Justice White, in delivering the opinion of the majority added: "Our conclusion does

the majority, added: "Our conclusion does not deny the power of the State of California to assess shares of stock in national banks, provided only the method adopted does not produce the discrimination prohibited by the act of Congress." hibited by the act of Congress.

Justice Brewer, speaking for himself, the Chief Justice and Justices Brown and Peckham, vigorously dissented. It was hard, he said, to strike down the right of

the State to tax on the mere proposition that an assessor had not done his duty, which was the main point in the decision of the majority Movements of Navai Vessels. WASHINGTON, Feb. 27.—The cruiser Boston has arrived at Mare Island, the supply

ship Culgon at Tempkinsville, the cruiser Newark at Santo Domingo City and the The battleship Maine bas sailed from ompkinsville for Guantanamo; the collier sterling from Guantanamo for Newport lews, the gunboat Potomac from Monte bristi for Guantanamo and the collier for Guantanamo and the collier for Guantanamo and the collier for Guantanamo for Lambert's Hannibal from Guantanamo for Lambert's Point.

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Is the most economical thing in the kitchen.

GREAT RUPEE CASE DECIDED.

ROYAL BAKING POWDER CO., NEW YORK

SUPREME COURT HOLDS THE COIN WORTH 32 CENTS.

Government Will Keep \$3,000,000 Extra Duties it Collected Under a Treasury Ruling-India Going on the Gold Basis Caused a Lot of Trouble.

WASHINGTON, Feb. 27 .- The Supreme Court to-day reversed the judgment of the T. Davis | Circuit Court of Appeals in what is known as the "Great Rupee Case" and held that the value of the rupee in computing the duties on merchandise imported India is 32 cents, as fractional parts of the pound sterling, and not 20 cents, as the value of the silver contained therein. Nearly \$3,000,000 alleged excess of duties already paid by the importers was concerned in the case decided to-day and others dependent upon it.

The customs laws provide that the value of imported merchandise must be expressed in the unit of value of the country from which it is brought and the value of that unit is governed by the table of foreign coin values proclaimed quarterly by the Director of the Mint. The merchandise concerned in this case was burlaps, imorted from India, and the value was given

in silver rupees.
On this basis the collector at Baltimore, On this basis the collector at Baltimore, according to the director's table, liquidated the importation at the rate of 20 cents for the rupee. It so happened that the importation was made just after the Indian mints were closed to the free coinage of silver and that country went on a gold basis, the value of the rupee being fixed at 15 to the pound sterling, or about 32 cents. This change, however, was not shown in the table of values.

the table of values.

The Secretary of the Treasury, under the law permitting him to reliquidate invoices in cases in which the difference in value. in cases in which the difference in value exceeded 10 per cent., ordered duty paid at the rate of 32 cents. The duties were paid under protest and suit brought for the difference, although there was no question that the burlaps really cost the equivalent of the higher rate.

Taking up the intention of Congress in

Taking up the intention of Congress in enacting the law Justice Holmes said there was no doubt it had attempted to provide against fluctuations in the value of silver bullion. But the real intent of the statute was to ascertain the true value of the thing taxed at the time it was taxed, and the invoice price was referred to only to that end.

to that end.

The law plainly provided that the value of the coins should be that of the pure metal contained therein, but it also authorized the Secretary of the Treasury to reliquidate at a higher rate when he was satisfied that the difference was more than the per cent. In the present case the court satisfied that the difference was more than 10 per cent. In the present case the court was of opinion that the value of the rupee was to be taken on the basis of a fractional part of the pound sterling, that being the corresponding actual value of the goods and in conformity with the truth, and the Secretary of the Treasury was justified in reliquidating the entry at the rate of 32 cents.

LARGE DEFICIENCY BILL.

More Than \$31,000,000-No Fxtra Com-

Several important legislative features are contained in the bill. One forbids any payment from the contingent fund to any employee of the House for extra com-

MIDDIE WHO QUIT GOING BACK. Arrowood on the Maine on His Return to the Kearsarge for Trial.

WASHINGTON, Feb. 27.-Midshipman Milton W. Arrowood, who left the battleship Kearsarge without leave and who ater was apprehended in New York and

New Consul-General to Panama.

WASHINGTON, Feb. 27.—The President sent to the Senate the nomination of Jo-

Army and Navy Orders.

Washington, Feb. 27.—The following army orders were issued to-day:
Major Wilber E. Wilder, Assistant Adjutant-General, relieved from Military Secretary's Department and to continue as Acting Assistant Adjutant-General at Headquarters, Department of akota.

Major Hunter Liggett, Assistant Adjutant-Genal, from treatment at Army and Navy Hospital, ot Springs, Ark, to proper station.

First Lieus, Partick W. Guiney, Sixth Cavalry; the S. E. Young, Pifth Cavairy, and William L. lim, Eleventh Cavairy; Second Lieuts, Eugene J., Fifteenth Cavairy, and Neison A. Goodspeed, ird Cavairy, to recruiting duty at Jefferson tracks, Mo.

aird Cavairy, to recruiting duty at Jenerson arracks, Mo.
First Lieuis, Kurtz Eppley, Tenth Infantry; illiam E Persons, Eleventh Infantry; La Vergne Gregz, Twenty-seventh Infantry, and William Gillinore, Twenty-eighth Infantry, to recruiting ty at Columbus Barracks, Ohio.
First Lieuis, Frank B. Davis, Tenth Infantry; Ge B. Parker, Twenty sixth Infantry; Francis Healy, Twenty-ainth Infantry, and Charles W. ceks, Thirtieth Infantry, to recruiting duty at it Slocum, N. Y.

Capt. A. S. Snow, from duty as Captain, navy yard, Boston, Mass., and assume duties of Com-nandant. These Naval orders were issued: J. G. Paton, to navy yard, Boston, as Capishipman P. H. Fretz, B. Y. Rhodes and S. C. ils, from the Bancroft to the Galveston.

World Wags Well AFTER

BREAKFAST

POSTUM

FOOD COFFEE. There's a reason.

KRANICH & BACH
PIANOS Regarding Payments:

> Our long payment arrangement will be welcome news to those wanting the highest grade instrument, but who thought such easy installments were only allowed by makers of lower grade planos. So call and learn our terms before making a purchase, also see the smallest standard Grand ever made.

HANDSOME CATALOG FREE ON REQUEST. WAREROOMS | 233-45 East 23rd St

SPECIAL SALE OF SPRING OVERCOATS. N. Y. store only.

Men's short, long and three-quarter length Overcoats, in Black, Covert
and Oxford Mixed shades. None have sold for less than \$18.00, many as high as \$30.00; all stylish and well made garments, reduced to \$15.00.

900 FANCY STIFF BOSOM SHIRTS—\$1.00. N. Y. store only.

Clean-up sale of all Stiff Bosom Shirts, gathered from all 3 stores. D. & J. Anderson's finest imported Madras, and the best domestic weaves. Former prices \$3.50, \$2.75, \$2.00 and \$1.50. Special \$1.00.

250 PAIRS GLOVES, 50c. N. Y. store only.

To clean up all our small and broken lots. Made by the best manufacturers, value \$1.25 to \$2.00. Special 50c.

150 MEN'S NIGHT SHIRTS, 50c. New York store only. All fine muslin, made with turn-down collar, value \$1.00 to \$2.00.

25c. PLAIN COLOR FOUR-IN-HANDS-all 3 stores. 1000 doz. Plain Pip Silk Four-in-Hand—Flack, Navy, Brown, Green, Purple, Cardinal, Garnet, and Grey; French Four-in-Hand 21 inches wide. Special 25c.
12 pr. SUSPENDERS-all 3 stores.

Mercerized & Silk web, with elastic back and calfskin ends. Special

Smith Gray & Co.

BROADWAY AT 31ST STREET, NEW YORK

SHOCKS COMSTOCK'S MODESTY

PICTURE OF CHILDREN ORDERED OUT OF ART STORE WINDOW. It's All Right to Show It Inside, He Says Which Leaves Art Dealer Macbeth

Wondering How What Is Corrupt in One

Part of His Store Is Pure in Another.

In the front window of the gallery of William Macbeth, art dealer at 237 Fifth avenue, there hung a picture, "The Explorers," showing three little girls and two boys, nude, wading down a brook which ran between two cliffs into a lake The boys were ahead, the one in advance standing on two stones in a sort of Colossus of Rhodes posture. The girls were pick ing their way gingerly in the rear.

ing their way gingerly in the rear. All the little ones were facing away from the spectators. Artists, who saw the picture, admired it for its coloring and for the originality of the study. Spectators considered it attractive because of its portrayal of the innocent play of childhood.

Down Fifth avenue, while the picture hung there, came Anthony Comstock and one of the agents in his Society for the Suppression of Vice. Eyes practised in detecting the immoral, the lascivious and the voluptuous in literature and art lingered upon the picture a moment and then looked for the proprietor of the gallery inside. Mr. Macbeth was not in, but to an office boy Mr. Comstock said:

emstock said: "It is highly improper to present such a picture as that to the public gaze. It must be removed at once." "I think if the picture was imprope Mr. Macbeth would not have it," ventured

e office boy.
"The Court of Appeals of the State of the "The Court of Appeals of the State of New York has recently decided in cases which I have brought that such pictures are decidedly improper and must not be shown. Have it taken inside at once. I shall not object if it is shown within the gallery, but in the window never will I permit it."

A short time after Mr. Comstock had finished expounding the import of Court

later was apprehended in New York and placed under arrest, is on the battleship Maine which has started southward to join the North Atlantic fleet at Guantanamo.

Arrowood will be returned to the Kearsarge and will be tried there, probably on a charge of desertion. Whether any further charge will be made against him has not yet been decided.

Apparent Shortage in Paymaster's Account.

Washington, Feb. 27.—An investigation is being made of the accounts of Passed Assistant Paymaster Gustavus R. Madden.

U. S. N., whose resignation was accepted on Feb. 17 by the Navy Department. There is said to be a shortage of \$13,000 shown in his accounts, but it is thought that much of this, and possibly all, may be found due to mistakes in bookkeeping. Paymaster Madden is still under the bonds furnished when he first entered the service.

immorality from an exposition of the

"All that I will say of that picture," said Mr. Comstock, "is that I saw it and ordered it out. What of it?"

th out. What of 11?

Then he departed.

Mr. Macbeth was in a quandary at the close of business. "All day long," he said, "I have been debating in my mind the fine distinction Mr. Comstock has, drawn. I can show the picture as much as I like inside the gallery, can call the attention of every caller to it, and presumably can even advertise it in the papers. On the other hand I musn't show it in the window. In other words I can corrunt the public as much

other words I can corrunt the public as much as I like in one part of the gallery, but must not do so in another. "I don't know what is coming next. If there is no innocence in the portrayal of young childhood as it is, I'm afraid there is no innocence anywhere. I have another picture here of some boys at a swimming pool, and that one there showing a baby's feet. Who knows? Perhaps they will have to be turned toward the wall."

Bryson Burroughs, who painted "The Explorers," is well known. He is a member of the Society of American Artists, an associate of the National Academy of Design, a member of the Architectural League and other prominent art organizations.

Before painting this picture of the children
he had done no work in nudes. The idea
for "The Explorers" he secured last summer
in watching young children, none of ther
over 8 years old, wading in a brook in Vermont. Two of the children were his own.
From sketches of them he painted the pic-

ture on his return to the city Spring suits were ordered for the heroic figures on the Stock Exchange when Mr. comstock's latest activity was made known

River and Harbor Bill Increased \$3,500,000 Washington, Feb. 27.-The River and Harbor bill was reported to the Senate tonight by Mr. Gallinger from the Committee Commerce, with committee amendemittee adds amendments aggregating \$3.662,367.

To Educate Two Chinese at West Polat. WASHINGTON, Feb. 27 .- Under suspension of the rules the House to-day pasjoint resolution authorizing the education at the West Point Military Academy of Ying Hsing and Ting Ching Cheng of China at the expense of the Chinese Minister.



the maidens of sunny France trampled the grapes fortheannual wine making. Modern methods are more exact, if less poetical.



Champagne is made with old-world care, applied to modern methods. The

result is perfection. If amount of sales is any evidence of public opinion, the public considers "El Symphonie"

the best clear Havana cigar in the - Little -Symphonetics

are "El Symphonie" cigara made smaller, and possess every bit of their quality. Ten for 25 cents everywhere.

NEGRO CAN'T QUIT OFFICE. Mississippi Postmaster Says the Government

Made by E. A. KLINE & CO.

Won't Let Him Resign. NEW ORLEANS, Feb. 27 .- A. L. Horton, a negro postmisster at Way station, Madi-son county, Miss., on the line of the Illinois Central road, makes the charge that he is being held in peonage by the Post Office Department.

Horton has been postmaster at the place

for several years and has frequently attempted to resign. The last effort of this sort had was only a few days ago, but the Post Office Department refuses to accept the resignation, as no other person can be found in the community who is willing to take the office. Horton has written to the Federal authorities asking if there is not some hook or crook of the law by which he can quit

the job without rendering his bondsmen liable. He indignantly asserts that the Postmaster-General is holding him in involuntary servitude and that he is losing money by serving as postmaster.

Appeal for a Girl Consumptive The Jacob A. Riis Neighborhood Settlement appeals for \$10 with which to pay the board of a girl only three months in this country. Her father is dying with consumption in a hospital and the girl, who is only 18, is so poorly nourished that the doctor says she will undoubtedly develop the same disease unless she is sent away. The only other means of support for the family are \$10 a month gained by taking in a baby to board and \$2 a week earned by a younger some. The Settle-ment will care for the family in the girl's absence if friends can be found who will pay her board. Miss Clera Field, treasurer, 48 Henry street, New York, will receive

Mankind in all his vigor was blessed with water.

John Jameson Irish Whiskey

was given weakened mankind to mix with it-thanks to the distillers.